

### **REMARKS/ARGUMENTS**

#### **Election/Restrictions**

In this section of the Office Action, it was asserted that pending claims 1-58 recite distinct inventions, namely, Group I (claims 1-56) and Group II (claims 57 and 58).

In this section of the Office Action, it was also asserted that if applicant elects Group I these claims are directed to Species I (related to figure 8, 9, 10, 11) and Species II (related to figure 2, 3). The Examiner further asserted that "Species I and Species II have a materially different design using a no lens and a lens."

Referring to figures 2 and 3, in this example embodiment, there are no "secondary lenses" between the sensors 206 and 208 and the media surface; however, the sensors 206 and 208 themselves may each include a lens as part of the component package. In figures 2 and 3, the light source 204 and the sensors 206 and 208 include a lens as part of their respective component packages.

Figures 8, 9, 10 and 11 do not show "secondary lenses"; rather they illustrate LED assembly 204 (also shown in figures 2 and 3) with various combinations of lens radiuses and die placements.

None of the figures show a "secondary lens". None of the figures show the light source 204 or the sensors 206 and 208 without a lens as part of their respective component packages.

It is not clear what the Examiner means by "a materially different design using a no lens and a lens", or why figures 2 and 3 were distinguished from figures 8, 9, 10 and 11.

For purposes of this communication, Applicant assumes that the Examiner intends "no lens" (apparently, Species I) to mean "no lens being positioned between the sensors and the object" as explicitly recited in claim 27, and "lens" (apparently, Species II) to mean sensors that include a lens as part of their component packages.

Applicant elects Group I and Species II, without traverse, for prosecution on the merits. Claims 1-56 are readable on Species II.

Respectfully submitted,



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